

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES)
COMPANY FOR AN ADJUSTMENT OF ITS) CASE NO. 2014-00371
ELECTRIC RATES)

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On January 23, 2015, Kentucky Utilities Company (“Movant”) moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1), that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection for an indefinite period of time.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in its responses to Kentucky Industrial Utility Customers, Inc.’s (“KIUC”) Initial Request for Information, Items 30(f), 61, 63(a), (d)-(f), and 65. Respectively, the information is more particularly described as pertaining to Trimble County Unit 2’s projected outage schedules, design information and operating and maintenance projections; capacity and energy purchase and sale agreements; assumptions regarding the construction and operation of a simple cycle combustion turbine; and a Capacity Purchase and Tolling Agreement with Bluegrass Generation Company, LLC and responses to Movant’s request for proposals in Case No. 2014-00321.¹

¹ *Application of Louisville Gas And Electric Company and Kentucky Utilities Company for a Declaratory Order and Approval Pursuant to KRS 278.300 for a Capacity Purchase and Tolling Agreement (Ky PSC Nov. 26, 2014).*

Movant states that disclosure of the aforesaid information would impose a competitive disadvantage upon the company and unfairly advantage competitors.

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13.

2. Pursuant to KRS 61.878, the materials for which Movant requests confidential protection should not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Order of the Commission.

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection of portions of its responses to KIUC's Initial Request for Information, Items 30(f), 61, 63(a), (d)-(f), and 65, is granted.

2. The information for which Movant requests confidential protection shall not be placed in the public record or made available for public inspection indefinitely, pursuant to KRS 61.878.

3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

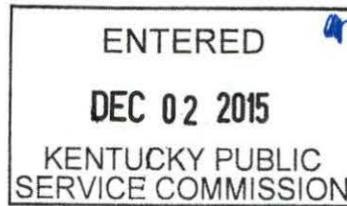
4. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, the Movant shall have 20 days from receipt of

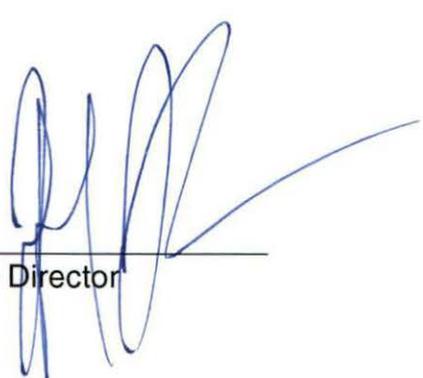
written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Movant to seek a remedy afforded by law.

By the Commission



ATTEST:



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